

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Patty Shwartz
v. : Mag. No. 12-3043
DMITRIY SMILIANETS : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Andrew S. Pak, Assistant U.S. Attorney, appearing), and defendant Dmitriy Smilianets (Bruce Provda, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days to permit defense counsel the reasonable time necessary for effective preparation in this matter and to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and four prior continuance orders having been entered by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), and the defendant being aware that the defendant has the right to have the matter submitted to a grand jury within thirty days of the date of the defendant's arrest, pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

(2) Defendant has consented to the aforementioned continuance; and

(3) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

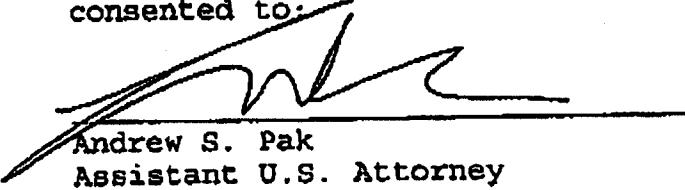
IT IS, therefore, on this ³⁰~~28~~ day of May, 2013,
ORDERED that this action be, and hereby is, continued for a period of 60 days from May 29, 2013 through July 27, 2013; and it is further

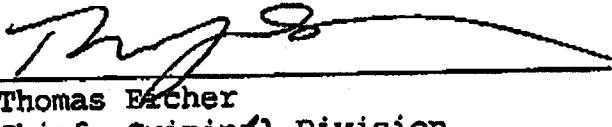
ORDERED that the period from May 29, 2013 through July 27, 2013 shall be excludable in computing time under the Speedy Trial Act of 1974.



HON. MADELINE COX ARLEO
United States Magistrate Judge

Form and entry
consented to:


Andrew S. Pak
Assistant U.S. Attorney


Thomas Eischer
Chief, Criminal Division


Bruce Provda, Esq.
Counsel for defendant Dmitriy Smilianets